IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
FRIDAY, THE EIGHTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE A.GOPAL REDDY
WRIT PETITION NO : 7326 of 1999

Between:

1. Mohammad Ghouse S/o Yousuf, aged 28 years, resident of Syed Aliguda, Asifnagar, Hyderabad.
2. Mohammad Muneeruddin S/o Kareemuddin, aged 36 years, resident of Aliabad, Hyderabad.
3. Gulam Ghousuddin S/o Shamseeruddin, aged 40 years, resident of Hyderabad.
4. Abdul Sattar S/o Khansab, aged 39 years, resident of Old Malakpet,Hyderabad.
5. Mohammad Ismail S/o Ibrahim, aged 36 years, resident of Lalapet, Hyderabad.
6. Mohammad Sarvar W/o Yousuf, aged 30 years, resident of Hyderabad.
7. Mohammed Kaleemullah Shabbir, S/o Raheemuddin;
8. Mohammad Ibrahim S/o Burhan, aged 45 years, resident of Chandrayanagutta, Hyderabad.

..... PETITIONERS

AND

1. The Union of India, represented by its Secretary, Finance Department, Ritta Bhavan, New Delhi.
2. The Traffic Advisory Committee, represented by its Secretary, 1st floor, 6-K.Dubash Marg, Mumbai.
3. The General Insurance Corporation of India, represented by its Chairman, Industrial Assurance Building, Mumbai.
4. The United India Insurance Company Limited, represented by its Regional Manager, Regional Office, Hyderabad.
5. The United India Insurance Company Limited, represented by its Branch Manager, Branch Office, Malakpet, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or any other direction one in the nature of writ of Mandamus declaring the Circular Ref. MOT/REV/98 dt. 28-1-1998 of the second respondent with regard to the enhancement of the rate of third party premium insurance in respect of the petitioners passengers and other vehicles as illegal and arbitrary and contrary to law and further direct the respondents herein to accept thethird party

premium at the rates applicable prior to the issuance of impugned notification in respect of the petitioners and other vehicles.

Counsel for the Petitioner: MR.M.VEERESHAM

Counsel for the Respondent No.1: MR.A.RAJASHEKAR REDDY

Standing Counsel for Central Govt.,

The Court made the following :

ORDER:

Similar writ petitions filed questioning the circular in Ref.MOT/REV/98 dt. 28-1-1998 issued by the Traffic Advisory Committee, Mumbai were dismissed by this court in WP No.17123/98 and batch dt. 19-4-2000 on recording the submission made by the learned counsel for the Insurance Company as well as the Traffic Advisory Committee that by subsequent notification dt. 15-2-99, enhancement effectuated by the impugned circular dt. 28-1-1998 has been withdrawn prospectively. It was further observed that as the writ petitions assail the enhancement for the period in respect of which the notification has been withdrawn, cause in the writ petition do not survive for adjudication.

Following the same and for the reasons mentioned therein, the present writ petition is also dismissed. No costs.

ASST. REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Secretary, Finance Department, Union of India, Ritta Bhavan, New Delhi.
2. The Secretary, Traffic Advisory Committee, 1st floor, 6-K.Dubash Marg, Mumbai.
3. The Chairman, General Insurance Corporation of India, Industrial Assurance Building, Mumbai.
4. The Regional Manager, United India Insurance Company Limited, Regional Office, Hyderabad.

5. The Branch Manager, United India Insurance Company Limited, Branch Office, Malakpet, Hyderabad.
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